

Applicants : David W. Taylor et al.  
Serial No. : 10/645,762  
Page : 10

**Remarks:**

The amendments and remarks presented herein are believed to be fully responsive to the Final Office Action dated November 2, 2005.

Claims 1-28 are pending in the application. Independent claims 1, 12 and 20 have been amended as set forth above. The amendments are fully supported in the specification and drawings as originally filed. No new matter has been added.

**CLAIM REJECTIONS**

Claims 1-7, 9, 12-14, 16, 17, 20-22 and 24-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walker et al., U.S. Patent No. 6,199,014, in view of Kepler, U.S. Patent No. 6,477,460. Claims 8, 10, 11, 15, 18, 19, 23, 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Walker et al. in view of Kepler, and further in view of DeLine et al., U.S. Patent No. 6,420,975.

Applicants respectfully traverse the rejections under 35 U.S.C. §103(a) for the reasons set forth below.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference or references when combined must teach or suggest all the claimed limitations. The teaching or suggestion to make the claim combination and reasonable expectation of success must both be found in the prior art and not based on Applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). See MPEP § 2143.

Applicants : David W. Taylor et al.  
Serial No. : 10/645,762  
Page : 11

Applicants have amended independent claim 1 to clarify that the telematics system is operable to receive a user input from a driver of the vehicle when the vehicle is at an initial geographic location. The directional information comprises at least two instructions on a determined route between the initial geographic location and the destination geographic location. Each of the at least two instructions is coded or associated with or linked to a respective waypoint geographic location determined by the telematics system to be on the determined route between the initial geographic location and the destination geographic location. The control is operable to generate a change in information displayed in response to the current actual geographic location of the vehicle being inconsistent with the determined route between the initial geographic location and the destination geographic location.

Independent claims 12 and 20 have been amended in a similar manner, and further clarified so that the route comprises a plurality of intermediate geographic locations between the initial geographic location and the destination geographic location, and the change in information displayed is in response to the current actual geographic location of the vehicle being inconsistent with the intermediate geographic locations of the route between the initial geographic location and the destination geographic location.

Applicants submit that the combination of Walker et al. and Kepler does not disclose, teach, suggest or render obvious the navigation system and method of the present invention, particularly as set forth in independent claim 1 and the claims depending therefrom. Walker et al. discloses a system for providing driving directions that provides photographs of locations along a route to be traveled by the vehicle. Applicants submit that there is no disclosure or suggestion in Walker et al. of the navigation system and method of the present invention. For example, Walker et al. does not disclose or suggest generating a change in information displayed in response to the current actual geographic location of the vehicle being inconsistent with a

Applicants : David W. Taylor et al.  
Serial No. : 10/645,762  
Page : 12

determined route between the initial geographic location and the destination geographic location, in combination with the other elements of independent claim 1.

The Office Action, at page 3, asserts that Walker et al. discloses a system that is operable to generate a change in information displayed in response to the current actual geographic location of the vehicle being inconsistent with the determined route between the initial geographic location and the destination geographic location, and specifically states that "Figure 9 (item 904) provided the condition when the current location changes, thus when the route changes, to provide different instructions with appropriate photographs." However, Applicants submit that a change in current location does not mean that the route changes. The change in vehicle location referenced in the Office Action with respect to Walker et al. is a change in vehicle location *along* the route, such that the route does not change. Moreover, Walker et al. teaches away from such a system by disclosing a controller that provides "photographic representations of the locations *along the route to be followed*." (See column 5, lines 31-33 of Walker et al., emphasis added). Thus, Walker et al. does not disclose the claimed invention of independent claim 1 and the claims depending therefrom.

Likewise, Applicants submit that Kepler does not, for example, disclose, teach or suggest providing such a change in information displayed when the current actual geographic location of the vehicle is inconsistent with a determined route between the initial geographic location and the destination geographic location. Kepler teaches away from such a system by disclosing that the system selects points *along* the route to provide additional information (see column 5, lines 24-36 of Kepler). There is no disclosure or suggestion in Kepler of changing the information display when the vehicle location is inconsistent with a determined route between the initial geographic location and the destination geographic location in combination with the other elements of independent claim 1. Reconsideration and withdrawal of the rejection of claims 1-7 and 9 is respectfully requested.

Applicants : David W. Taylor et al.  
Serial No. : 10/645,762  
Page : 13

With respect to the rejection of independent claims 12 and 20 and the claims depending therefrom, Applicants submit that the combination of Walker et al. and Kepler does not disclose, teach, suggest or render obvious these claims for at least all of the reasons set forth above. Neither Walker et al. or Kepler disclose or suggest changing the information display when the vehicle location is inconsistent with intermediate geographic locations on the route between the initial geographic location and the destination geographic location, in combination with the other elements of independent claims 12 and 20. Reconsideration and withdrawal of the rejection of claims 12-14, 16, 17, 20-22 and 24-26 is respectfully requested.

With respect to the rejection of dependent claims 8, 10, 11, 15, 18, 19, 23, 27 and 28, Applicants submit that the combination of Walker et al., Kepler and DeLinc et al. does not disclose, teach, suggest or render obvious the claimed inventions of the dependent claims for at least the reasons set forth above. With particular reference to the rejection of dependent claims 10, 11, 18, 19, 27 and 28, and contrary to the statement in the Office Action that DeLinc et al. discloses a seat adjustment system that is operable to adjust a seat of the vehicle in response to data received via at least one of a vehicle-based telematics system and a vehicle-based global positioning system in response to biometric data pertaining to the occupant of the seat of the vehicle, Applicants submit that DeLinc et al. does not disclose or suggest a seat adjustment system that adjusts a vehicle seat in response to a vehicle-based telematics system and/or a vehicle-based global positioning system and/or biometric data. Moreover, there is suggestion or motivation in Walker et al., Kepler or DeLinc et al. to combine any seat control (such as a seat control as disclosed in DeLinc et al.) with a navigation system, and even if such a combination were improperly made, there is no disclosure or suggestion in DeLinc et al. of how any seat control would be operable in response to at least one of a vehicle-based telematics system and a vehicle-based global positioning system, as set forth in dependent claims 10, 11, 18, 19, 27 and 28. Therefore, the combination of Walker et al., Kepler and DeLinc et al. does not disclose, teach, suggest or render obvious the claimed invention of dependent claims 10, 11, 18, 19, 27 and 28.

Applicants : David W. Taylor et al.  
Serial No. : 10/645,762  
Page : 14

Accordingly, Applicants respectfully submit that the combination of Walker et al. and Kepler, either alone or in combination with DeLine et al. or with any other prior art of record, does not disclose, teach, suggest or render obvious the navigation system and method of the present invention, particularly as set forth in independent claims 1, 12 and 20 and in the claims depending therefrom. Reconsideration and withdrawal of the rejections of claims 1-28 is respectfully requested.


Claims 1-28 remain pending in the application. Applicants respectfully submit that claims 1-28 are in condition for allowance and a notice to that effect is earnestly and respectfully requested. If the Examiner does not find the claims to be in condition for allowance, the Examiner is invited to call the undersigned to discuss this matter further.

Respectfully submitted,

DAVID W. TAYLOR ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

Date: February 1, 2006.

  
\_\_\_\_\_  
Timothy A. Flory  
Registration No. 42 540  
2851 Charlevoix Drive, S.E., Suite 207  
P.O. Box 888695  
Grand Rapids, Michigan 49588-8695  
(616) 975-5500

DON01 P-1103  
TAF:slg